



COPY OF PAPERS
ORIGINALLY FILED

PATENT
Docket No. 511582002100

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on June 17, 2002.

Tami M. Procopio
Tami M. Procopio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR, *et al.*

Serial No.: 09/697,206

Filing Date: 26 October 2000

For: NOVEL GENES UPREGULATED IN
CANCERS OF THE PROSTATE

Examiner: Minh-Tam B. Davis

Group Art Unit: 1642

RECEIVED

JUN 21 2002
TECH CENTER 1600/2300

AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to a Communication mailed 7 May 2002, time for response to which was set to expire 7 June 2002. Clarification of applicants' election in response to a restriction requirement was requested.

Applicants intended to elect Group X, claims 30, 32 and 34, drawn to a method for detection of neoplasm by measuring the expression of the 20P2H8 polynucleotide or the corresponding RNA level. Applicants apologize for the error on page 1 of the response filed 10 January 2002 indicating that claim 29 represented this group.

However, the remainder of the Remarks in the response are accurate: Applicants continue to traverse the requirement as it pertains to Groups IX and XI-XII.

Thus, it is believed that the proposed claims correspond to the election and are consistent with the traverse.

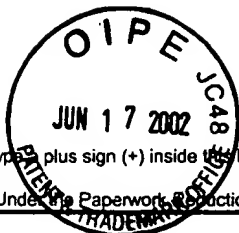
If there is any further question as to the applicants' intentions, a telephone call to the undersigned will be appreciated.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 511582002100.

Respectfully submitted,

Dated: June 6, 2002

By: Kate H. Murashige
Kate H. Murashige
Registration No. 29,959
Morrison & Foerster LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125



COPY OF PAPERS
ORIGINALLY FILED

Please type plus sign (+) inside the box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

3

Applicati n Number

09/697,206

Filing Date

26 October 2000

First Named Inventor

Daniel E. H. AFAR, et al.

Group Art Unit

1642

Examiner Name

M. Davis

Attorney Docket No.

511582002100

RECEIVED

JUN 21 2002

TECH CENTER 1600/2000

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement,
PTO Form 1449, References

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 C.F.R. 1.52 or 1.53

☐ Assignment Papers

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify
below):

☒ Return Postcard

☐

☐

☐

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm
or

Individual Name

For

Kate H. Murashige Reg. No. 29,959

Morrison & Foerster LLP

3811 Valley Centre Drive, Suite 500, San Diego, California 92130

Signature

Date

June 7, 2002

[Signature] (50,123)

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 7, 2002.

[Signature]
Tami M. Procopio

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Issue Fee, Washington, DC 20231.